

**JONES DAY**

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*Attorneys for Plaintiffs*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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	:	
In re:	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	Case No. 08-13555 (SCC)
	:	
Debtors.	:	(Jointly Administered)
-----	:	
	X	
	:	
LEHMAN BROTHERS HOLDINGS INC.,	:	
LEHMAN BROTHERS SPECIAL FINANCING	:	
INC., LEHMAN BROTHERS COMMODITY	:	
SERVICES INC. and LEHMAN BROTHERS	:	
COMMERCIAL CORP.,	:	
	:	
	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	Adv. Proc. No. 13-01676 (SCC)
	:	
CREDIT SUISSE, CREDIT SUISSE	:	
INTERNATIONAL, CREDIT SUISSE ENERGY	:	
LLC, and CREDIT SUISSE SECURITIES	:	
(EUROPE) LTD.,	:	
	:	
	:	
	X	
Defendants.		
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**NOTICE OF PRESENTMENT OF AMENDED SCHEDULING ORDER**

**PLEASE TAKE NOTICE** that the undersigned will present the annexed Amended Scheduling Order (the “Proposed Amended Scheduling Order”) to the Honorable Shelley C. Chapman, United States Bankruptcy Judge, for signature on **June 27, 2014 at 12:00 noon (Prevailing Eastern Time)**.

**PLEASE TAKE FURTHER NOTICE** that unless a written objection to the Proposed Amended Scheduling Order, with proof of service, is served and filed with the Clerk of the Court and a courtesy copy is delivered to (i) the Bankruptcy Judge’s chambers and (ii) the undersigned, so as to be received by **June 27, 2014 at 11:30 a.m. (Prevailing Eastern Time)**, the Proposed Amended Scheduling Order may be signed.

Dated: June 20, 2014  
New York, New York

Respectfully submitted,

/s/ Jayant W. Tambe  
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SERVICES INC. and LEHMAN BROTHERS	:	
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Plaintiffs,	:	
-against-	:	Adv. Proc. No. 13-01676 (SCC)
CREDIT SUISSE, CREDIT SUISSE	:	
INTERNATIONAL, CREDIT SUISSE ENERGY	:	
LLC, and CREDIT SUISSE SECURITIES	:	
(EUROPE) LTD.,	:	
	:	
	X	
Defendants.		
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**AMENDED SCHEDULING ORDER**

**WHEREAS**, Plaintiffs Lehman Brothers Special Financing, Inc., Lehman Brothers  
Commodity Services Inc., Lehman Brothers Commercial Corp. and Lehman Brothers Holdings  
Inc. (collectively, “Lehman”) filed an adversary complaint and claims objection against Credit  
Suisse, Credit Suisse International, Credit Suisse Energy LLC and Credit Suisse Securities

(Europe) Ltd. (collectively, “Credit Suisse”; together with Lehman, the “Parties”) on November 6, 2013;

**WHEREAS**, the Parties filed a Scheduling Order and Discovery Plan with the Court on January 22, 2014, which was approved by the Court on February 19, 2014; and

**WHEREAS**, the Parties having reached agreement on the terms of this Amended Scheduling Order, the Court hereby adopts the following schedule and discovery plan.

**1. No Amendments to Discovery Plan.** All provisions of the Scheduling Order and Discovery Plan entered on February 19, 2014 that are not specifically amended in this Amended Scheduling Order will continue to be of full force and effect.

**2. Amended Schedule.**

**a. Fact Discovery**

i. The Parties may serve document requests from January 31, 2014 through October 27, 2014.

ii. Document discovery shall be substantially completed on or before March 17, 2015, with documents produced on a rolling basis.

iii. Privilege logs shall be served within 30 days of the production from which the logged documents have been excluded, and the logging of privileged documents shall be substantially completed on or before April 15, 2015.

iv. No depositions shall be taken before January 15, 2015.

v. All fact discovery, including depositions but not including requests for admissions, shall be completed on or before August 17, 2015.

vi. Requests for admissions shall be served on or before January 15, 2016.

No response to any request for admission shall be required of any Party until February 16, 2016.

vii. Discovery from third parties shall be completed on the same schedule as Party discovery.

**b. Expert Discovery**

i. The Parties shall disclose the identities of any testifying expert witnesses and serve any expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B) (made applicable to this matter pursuant to Fed. R. Bankr. P. 7026) on any issue(s) as to which that Party bears the burden of proof no later than October 15, 2015.

ii. Any Party's expert report intended to rebut any other expert report shall be served no later than November 13, 2015.

iii. All expert depositions shall be completed on or before December 17, 2015.

**c. Dispositive Motions**

i. Any dispositive motions shall be filed and served on or before March 9, 2016.

ii. Oppositions to any dispositive motions shall be filed on or before April 7, 2016.

iii. Reply briefs in further support of any dispositive motions shall be filed on or before May 11, 2016.

**d. Modification of Schedule**

i. The fact and expert discovery schedule (including with respect to requests for admissions) may be modified without leave of Court by agreement of the Parties.

ii. The Parties, separately or by agreement, may apply to the Court for modification of any part of the schedule.

Dated: June 20, 2014  
New York, New York

JONES DAY

By: /s/ Jayant W. Tambe

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*Attorneys for Defendants*

**SO ORDERED.**

Dated: \_\_\_\_\_  
New York, New York

\_\_\_\_\_  
Honorable Shelley C. Chapman.  
United States Bankruptcy Judge